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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/779,390      | 02/07/2001  | Daniel E. Ford       | 10007261-1          | 5498             |

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HEWLETT-PACKARD COMPANY  
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EXAMINER

WANG, LIANG CHE A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2155

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/779,390

Applicant(s)

FORD ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-20 have been examined

#### ***Paper Submitted***

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:

- a. **Information Disclosure Statements** in paper number 4 as received on 02/07/2001 is considered.

#### ***Claim Objections***

3. Claims 1-11 are objected to because of the following informalities:
4. Referring to claim 1, line 4, "generating a request for a component having a least one specified attribute" should be changed to "generating a request for a component having at least one specified attribute".
5. All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1- are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al., US Patent Number 6,404,875, hereinafter Malik, in views of Gulati et al., US Patent Number 6,542,942, hereinafter Gulati.
8. Referring to claim 1, Malik has taught in a distributed networked system (figure 1a) having at least one service consumer (Col 9 line 8) and at least one service provider (Col 9 line 9), a method for accessing a remote software component comprising:
  - a. generating a request for a component having at least one specified attributes (figure 1b step 18, and Col 9 lines 8-11 request with consumer's stated criteria, Col 2 lines 14-22, Col 10 line 28);
  - b. transmitting the request across the network (figure 1a, request is sent for determination);
  - c. receiving the request at a service provider (figure 1b steps 20 and 21, Col 2 lines 28-41);
  - d. comparing the at least one specified attribute of the received request with component attributes of the service provider (figure 1b step 19, Col 9 lines 7-8, Col 2 lines 23-27);
  - e. communicating a response to the requesting service consumer (figure 1b, step 21, Col 2 lines 42-43.)

Malik has not explicitly taught broadcasting the request.

However, Gulati has taught a communication device is using a line card to broadcast the request over a multicast channel to multiple call processors (Col 8 lines 1-9, and Fig 1).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the broadcasting method of Gulati in Malik such that to have Malik's system to use the broadcasting method to transmit information from the consumer device to the service provider because both Malik and Gulati disclose inventions regarding sending request from a communication device to a remote device in a communication network (see both title.)

A person with ordinary skill in the art would have been motivated to make the modification to Malik because the broadcasting method would facilitate the exchange of information, and multiple devices operatively connected to the network as taught by Gulati (Col 2 lines 18-21.)

9. Referring to claim 2, Malik as modified has further taught wherein software component is selected from the group consisting of: a service, a resource, an interface, and a program segment (abstract lines 2-5, services are provided to the consumer form the service provider, and applicant has admitted in the background of the invention, page 1 lines 12-14, service providers are programs that provide interfaces, components or resources to other programs.)
10. Referring to claim 3, Malik as modified has further taught, wherein the step of generating a request including formulating a service descriptor, the service descriptor being an

object that specifies the at least one specified attribute (Col 9 lines 7-11, information code and the consumer's stated criteria are viewed as the service descriptor.)

11. Referring to claim 4, Malik as modified has further taught wherein the step of broadcasting the request utilizes a multicast protocol for broadcasting the request across the network (Gulati Col 5 lines 3-5.)
12. Referring to claim 5, Malik as modified has further taught wherein the network is a local area network (Gulati figure 1.)
13. Referring to claim 6, Malik as modified has further taught wherein the network is a wide area network (Malik figure 1a.)
14. Referring to claim 7, Malik as modified has further taught wherein the step of communicating a response utilizing a unicast protocol (figure 1a, a traditional telephone network is using a unicast protocol.)
15. Referring to claim 8, Malik as modified has further taught the step of formulating the response by the service provider, which response includes an identification of a network location of the service provider (Col 2 lines 42-46.)
16. Referring to claim 9, Malik as modified has further taught the step of directly requesting the component from the service provider by the service consumer, in response to the response received by the service consumer (abstract, it's obvious for consumer to request for service after a service is located.)
17. Referring to claim 10, Malik as modified has further taught wherein the step of formulating a response further includes associating with the response code for interfacing

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with the requested component, without requiring a driver to be separated installed on the service consumer (Col 5 lines 24-37.)

18. Referring to claim 11, Malik has taught the steps described above could be performed by computer-readable program code operating on the various AIN component (Col 2 lines 11-13), and Java code is one of the well-known computer program code.
19. Referring to claims 12-17, claims 12-17 encompass the same scope of the invention as that of the claims 1, 4, 8-11. Therefore, claims 12-17 are rejected for the same reason as the claims 1, 4, 8-11.
20. Referring to claim 18, Malik as modified has further taught wherein the means for generating a request includes a service finder (Col 2 lines 47-48.)
21. Referring to claim 19, Malik as modified has further taught means for consolidating response and providing the consolidated response to the service consumer (Col 2 lines 28-30.)
22. Referring to claim 20, claim 20 encompasses the same scope of the invention as that of the claim 1. Therefore, claims 20 is rejected for the same reason as the claim 1.

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

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24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang *lw*  
July 29<sup>th</sup>, 2004

*Bharat Barot*  
**BHARAT BAROT**  
**PRIMARY EXAMINER**